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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,791	10/05/2004	Rahul SRIVASTAVA	ORCL-006/OID-2004-061-01	5790

51121 7590 03/28/2007

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EXAMINER

BASHORE, WILLIAM L

ART UNIT	PAPER NUMBER
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2176

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/711,791

Applicant(s)

SRIVASTAVA, RAHUL

Examiner

William L. Bashore

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. <u>attached</u> . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. This action is responsive to communications: amendment filed 1/18/2007, to the original application filed 10/5/2004. IDS filed 12/7/2004, and 4/27/2006.
2. Claims 1-47 pending. Claims 41-47 have been added by Applicant. Claims 1, 12, 21, 32 are independent.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-2, 12-13, 21-22, and 32-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Nielsen (hereinafter Nielsen), U.S. PG Pub No. US 2004/0205567, filed 1/22/2002.**

In regard to independent claims 1, 12, 21, 32, Nielsen discloses a method of parsing a data file (an XML markup language file) typically containing a plurality of data elements (tags, etc.) (Nielsen Abstract).

Nielsen discloses receiving an XML test file for analysis inasmuch as files of said type are typically assigned file identifiers (i.e. a filename) so as to be identified by Nielsen's invention (Nielsen Abstract, paragraph [0031]).

Nielsen discloses parsing an XML file into a DOM tree, and each attribute or node in said tree is analyzed accordingly, each said node reasonably interpreted as data elements (or portion identifiers) contained within a plurality of data elements (nodes) (Nielsen paragraphs [0058], [0061], [0062]).

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Nielsen discloses determining a replacement for an element node, said replacement utilizing XPath for replacing a portion of the document (i.e. a portion identifier) (Nielsen paragraphs [0052], [0062]).

Nielsen discloses the above analysis and replacement methods conducted during runtime (using an application) (Nielsen Abstract), therefore data is provided accordingly.

In regard to dependent claims 2, 13, 22, 33, Nielsen discloses XPath (Nielsen paragraph [0052]).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 3-9, 14-20, 23-29, 34-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nielsen as applied to claims 1, 12, 21, 32 above, and further in view of Cseri et al. (hereinafter Cseri), U.S. PG Pub. No. US 2003/0046317 filed 4/19/2001.**

In regard to dependent claim 3-5, 14-16, 23-25, 34-36, Nielsen does not specifically teach APIs, procedure calls, and event based parsers. However, Cseri teaches a method of incorporating binary formatting into XML utilizing parsing of an XML file into a DOM tree, along with XPath (Cseri Abstract, paragraph [0028]). Cseri teaches SAX, which is a simple API for XML, which is event based and typically comprising one or more procedure calls (Cseri paragraph [0028]). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Cseri to Nielsen, providing Nielsen the benefit of decreasing parsing time utilizing at least in part APIs, SAX, etc.

In regard to dependent claims 6-9, 17-19, 26-29, 37-40, said claims incorporate substantially similar subject matter as claimed in claims 1, 3, 12, 14, 21, 23, 32, 34, and in further view of the following, is rejected along the same rationale.

Nielsen does not specifically teach object oriented parsing. However, Cseri teaches object oriented programming (Cseri paragraph [0157]). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Cseri to Nielsen, providing Nielsen the benefit of object oriented programming for multiple instantiation etc.

Nielsen teaches a find request - an abbreviated version, and a get request - a non-abbreviated version of an object (Nielsen paragraph [0045]).

7. Claims 10-11, 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nielsen and Cseri as applied to claims 3, 14, 23, 34 above, and further in view of Imamura et al. (hereinafter Imamura), U.S. PG Pub. No. US 2004/0261019 filed 4/1/2004.

In regard to dependent claims 10-11, 30-31, Nielsen does not specifically teach push parsing. However, Imamura teaches parsing in association with XPath and pushing (Imamura paragraph [0160]). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Imamura to Nielsen, providing Nielsen the benefit of pushing for more efficient parsing.

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8. **Claims 41-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nielsen as applied to claims 1, 12, 21, 32 above.**

In regard to dependent claims 41-42, 44-45, Nielsen discloses parsing an XML file into a DOM tree, and each attribute or node in said tree is analyzed accordingly. (Nielsen paragraphs [0058], [0061], [0062]). It is noted that trees are typically traversed in node by node fashion. It is additionally noted that since a DOM tree is hierarchically based, it would have been obvious to one of ordinary skill in the art at the time of the invention to determine portion identifiers based on a presented hierarchy in step-wise traversal, providing the benefit of efficient traversal that a DOM tree provides.

In regard to dependent claims 43, 46, Nielsen discloses parsing an XML file into a DOM tree which helps to define the document, each attribute or node in said tree is analyzed accordingly. (Nielsen paragraphs [0058], [0061], [0062]). It is noted that trees are typically traversed in node by node fashion. It is additionally noted that since a DOM tree is hierarchically based, it would have been obvious to one of ordinary skill in the art at the time of the invention to parse each node of a hierarchically based DOM tree in step-wise traversal, providing the benefit of efficient traversal of each element node that a DOM tree provides.

Response to Arguments

9. Applicant's arguments filed 1/18/2007 have been fully and carefully considered but they are not persuasive.

Applicant argues that the cited art of record does not teach applicant's invention, as currently claimed. The examiner respectfully disagrees. Nielsen discloses receiving an XML test file for analysis inasmuch as files of said type are typically assigned file identifiers (i.e. a filename) so as to be identified by Nielsen's invention. In order for any electronic file to be indexed and recognized, it is typically assigned a filename. In addition,

Nielsen discloses parsing an XML file into a DOM tree, and each attribute or node in said tree is analyzed accordingly, each said node reasonably interpreted as data elements (or portion identifiers) contained within a plurality of data elements (nodes).

It is additionally noted that it is well within reason to interpret Nielson's invention in the form of an executable set of instructions (i.e. an application), for carrying out its invention.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached on 11:30am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

William L Bashore

**WILLIAM BASHORE
PRIMARY EXAMINER**

March 26, 2007